

To: Haydel's Bakery (jhazard@wc-b.com)
Subject: TRADEMARK REGISTRATION NO. 3694698 - MARDI GRAS BEAD DOG - HAYDEL
Sent: 04/14/15 01:18:43 PM
Sent As: PRG@uspto.gov
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT REGISTRANT'S TRADEMARK REGISTRATION

U.S. REGISTRATION NO. 3694698

REGISTRANT: Haydel's Bakery

77477990

CORRESPONDENT'S ADDRESS :

JOHN W HAZARD JR
WEBSTER CHAMBERLAIN & BEAN
1747 PENNSYLVANIA AVE NW STE 1000
WASHINGTON DC 20006-4693

MARK: MARDI GRAS BEAD DOG

CORRESPONDENT'S REFERENCE/DOCKET NO. HAYDEL

CORRESPONDENT'S EMAIL ADDRESS :

jhazard@wc-b.com

CLICK ON THE LINK BELOW TO RESPOND TO THIS LETTER:

http://www.uspto.gov/trademarks/teas/reg_maintain.jsp

POST REGISTRATION OFFICE ACTION

ISSUE/MAILING DATE: 4/14/2015

U.S. Registration Number 3694698

The Sections 8 & 15 Combined Affidavit was received on 1/7/15. The Section 8 portion of the Combined Affidavit is accepted. However, the Office cannot acknowledge the Section 15 portion for the reason(s) set forth below.

The Section 15 Affidavit was acknowledged in error on 1/22/15 and is hereby rescinded. The Section 15 Affidavit cannot be acknowledged because Office records show the subject registered mark is involved in a court proceeding that is not yet final.

A Section 15 Affidavit must include a verified statement by the registrant that there is no proceeding pending in the United States Patent and Trademark Office or in a court involving the registrant's rights to the mark nor a final decision adverse to the registrant's claim of ownership and use of the mark. 37 C.F.R. §§2.167(d) and (e); TMEP §1605.04. The pending court proceeding contradicts this claim.

/Greg Rice/
Greggry A. Rice
Affidavit/Renewal Examiner
Post Registration Division
(571) 272-9547
(571) 273-9547 fax
gregory.rice@uspto.gov

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) Response to Post-Registration Office action

form number 11 at http://www.uspto.gov/trademarks/teas/reg_maintain.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the registration. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

WHO MUST SIGN THE RESPONSE: It must be personally signed by (1) the individual owner; (2) someone with legal authority to bind the owner (e.g., a corporate officer or general partner); or (3) an authorized attorney, if one is appointed to represent the owner. If the owner is represented by an attorney, the attorney must sign the response.

CHECK THE STATUS OF THE REGISTRATION: To check the status of your registration at any time, visit the Office's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the complete status screen. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED SPECIALIST.

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IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 04/14/2015 FOR
REGISTRATION NO. 3694698

Please follow the instructions below to continue the examination of your post registration filing:

VIEW OFFICE ACTION: Click on this link

<http://tsdr.uspto.gov/view.action?DDA=Y&sn=77477990&type=OOA&date=20150414>

(or copy and paste this URL into the address field of your browser), or visit <http://tsdr.uspto.gov/> and enter the registration number to access the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required, (2) how to respond and (3) the applicable response time period your response deadline will be calculated from.

Do NOT hit 'Reply' to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For technical assistance in accessing the Office action, please e-mail tsdr@uspto.gov. Please contact the assigned examiner with questions about the Office action.

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline may result in the cancellation and/or expiration of your registration.**